

ORIGINAL

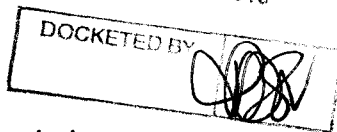


**Rincon Creek Water Company
14545 E. Rincon Creek Ranch Road
Tucson, Arizona 85747**

Arizona Corporation Commission
DOCKETED

NOV 19 2010

November 16, 2010



Docket Control
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Re: Docket W-03783A-10-0172
Rincon Creek Water Company [W-03783A]
Certificate of Convenience and Necessity [W-1619(2)]
Sale and Transfer to William and Gretchen Shirley

Dear Sir or Madam,

I received the Procedural Order dated October 15, 2010 in the matter of the Application of Michael W. Schultz and Pamela J. Schultz DBA Rincon Creek Water Company, for Approval of Sale of Assets and Transfer of Certificate of Convenience and Necessity by certified mail on November 8, 2010. Per the requirements of said Procedural Order, the Public Notice of said hearing was delivered to each of the water company customers, and published in the Arizona Daily Star. Attached is the original signature page, signed by each of the five customers that the water company serves, indicating that they received a copy of the notice on November 10, 2010. A copy of the notice that was delivered to the customers is attached. Also attached is the Affidavit of Publication, received today, November 16, 2010, verifying that the Public Notice appeared in the Arizona Daily Star newspaper on November, 13, 2010.

If you need any additional information, or have any questions, please do not hesitate to call. You can reach me at (520) 975-9750.

Respectfully,

William Shirley

RECEIVED
2010 NOV 19 P 3:49
DOCKET CONTROL

Rincon Creek Water Company
14545 E. Rincon Creek Ranch Road
Tucson, Arizona 85747

PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF MICHAEL W. SCHULTZ AND PAMELA J. SHULTZ
 DBA RINCON CREEK WATER COMPANY
 FOR APPROVAL OF SALE OF ASSETS AND TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY.
 (Docket No. W-03783A-10-0172)

Hearing to be held December 10, 2010 at 400 W. Congress, Room 222, at 10:00 a.m.

Customer Number	Name	Address	City	State	Zip	RECEIPT OF PUBLIC NOTICE OF HEARING	Signature indicating	DATE
1	William and Gretchen Shirley	14545 E. Rincon Creek Ranch Rd.	Tucson	AZ	85747		<i>Will Shirley</i>	11/10/2010
2	Rick and Alisa Brinkerhoff	7101 S. Camino Loma Alta	Tucson	AZ	85747		<i>Alisa Brinkerhoff</i>	11/10/10
3	Dannie and Cheryl Emde	7121 S. Camino Loma Alta	Tucson	AZ	85747		<i>Dannie Emde</i>	11/10/10
4	Don Crater	14500 E. Rincon Creek Ranch Rd.	Tucson	AZ	85747		<i>Don Crater</i>	11/14/10
5	David Surzyn	14590 E. Rincon Creek Ranch Rd.	Tucson	AZ	85747		<i>David Surzyn</i>	11/10/10

COPY OF NOTICE THAT WAS HAND-DELIVERED
TO CUSTOMERS (ALL FIVE) ON NOV. 10, 2010

PUBLIC NOTICE OF THE HEARING ON THE APPLICATION OF
MICHAEL W. SCHULTZ AND PAMELA J. SHULTZ
DBA RINCON CREEK WATER COMPANY
FOR APPROVAL OF SALE OF ASSETS AND TRANSFER OF
CERTIFICATE OF CONVENIENCE AND NECESSITY.
(Docket No. W-03783A-10-0172)

Summary

On May 3, 2010, Michael W. Schultz and Pamela J. Schultz d/b/a Rincon Creek Water Company ("Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for approval to sell its water system assets and transfer its Certificate of Convenience and Necessity to William Shirley and Gretchen Shirley. The Commission's Utilities Division ("Staff") has recommended approval of the Applicant's application. The Commission is not bound by the proposals made by the Applicant, Staff, or any interveners. The Commission will issue a decision regarding the Applicant's application following consideration of testimony and evidence presented at an evidentiary hearing.

How You Can View or Obtain a Copy of the Application

Copies of the application are available at the Applicant's offices at 1102 North Anita Avenue, Tucson Arizona 85705, and the Commission's offices at 1200 West Washington, Phoenix, Arizona, and the Commission's Tucson Offices at 400 West Congress, for public inspection during regular business hours and on the internet via the Commission Website (www.azcc.gov) using the e-docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning **December 10, 2010, at 10:00 a.m.**, at the Commission's offices, 400 West Congress, Room 222, Tucson, Arizona. Public comments will be taken on the; first day of the hearing. Written public comments may be submitted via email (visit http://www.azcc.gov/divisions/utilities/forms/public_comment.pdf for instructions), or by mailing a letter referencing Docket Number W-03783A-10-0172 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007. If you require assistance, you may contact the Consumer Services Section at (800) 222-7000 or (520) 628-6550.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. **If you would like to intervene, you must file a written motion to intervene with the Commission no later than November 19, 2010.** You must send copies of the motion to the Applicant or its counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired;
2. A short statement of your interest in the proceeding (e.g., a customer of the Applicant, a shareholder of the Applicant, etc.); and
3. A statement certifying that a copy of your motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The Granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before November 19, 2010.** If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervener obtaining counsel to represent the intervener. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.azcc.gov/divisions/utility/forms.asp>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Shaylin Bernal, E-mail SBernal@azcc.gov, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

of the

Public Notice of the Hearing on the Application for Sale of Assets and/or Transfer of the Certificate of Convenience and Necessity of the
Rincon Creek Water Company

**PUBLIC NOTICE OF THE HEARING ON THE APPLICATION
OF MICHAEL W. SCHULTZ AND PAMELA J. SHULTZ
DBA RINCON CREEK WATER COMPANY
FOR APPROVAL OF SALE OF ASSETS AND TRANSFER OF
CERTIFICATE OF CONVENIENCE AND NECESSITY.
(Docket No. W-03783A-10-0172)**

Summary

On May 3, 2010, Michael W. Schultz and Pamela J. Schultz d/b/a Rincon Creek Water Company ("Applicant"), filed with the Arizona Corporation Commission ("Commission") an application for approval to sell its water system assets and transfer its Certificate of Convenience and Necessity to William Shirley and Gretchen Shirley. The Commission's Utilities Division ("Staff") has recommended approval of the Applicant's application. The Commission is not bound by the proposals made by the Applicant, Staff, or any interveners. The Commission will issue a decision regarding the Applicant's application following consideration of testimony and evidence presented at an evidentiary hearing.

How You Can View or Obtain a Copy of the Application

Copies of the application are available at the Applicant's offices at 1102 North Anita Avenue, Tucson Arizona 85705, and the Commission's offices at 1200 West Washington, Phoenix, Arizona, and the Commission's Tucson Offices at 400 West Congress, for public inspection during regular business hours and on the internet via the Commission Website (www.azcc.gov) using the e-docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning **December 10, 2010, at 10:00 a.m.**, at the Commission's offices, 400 West Congress, Room 222, Tucson, Arizona. Public comments will be taken on the; first day of the hearing. Written public comments may be submitted via email (visit <http://www.azcc.gov/divisions/utilities/forms/publiccomment.pdf> for instructions), or by mailing a letter referencing Docket Number W-03783A-10-0172 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85007. If you require assistance, you may contact the Consumer Services Section at (800) 222-7000 or (520) 628-6550.

About Intervention

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. **If you would like to intervene, you must file a written motion to intervene with the Commission no later than November 19, 2010.** You must send copies of the motion to the Applicant or its counsel, and to all parties of record in the case. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your place, if desired;
2. A short statement of your interest in the proceeding (e.g., a customer of the Applicant, a shareholder of the Applicant, etc.); and
3. A statement certifying that a copy of your motion to intervene has been mailed to the Applicant or its counsel and to all parties of record in the case.

The Granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before November 19, 2010.** If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervener obtaining counsel to represent the intervener. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.azcc.gov/divisions/utility/forms.asp>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. **However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.**

ADA/Equal Access Information

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator Shaylin Bernal, E-mail SBernal@azcc.gov, voice phone number (602) 542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

TUCSON NEWSPAPERS

Tucson, Arizona

STATE OF ARIZONA)
COUNTY OF PIMA)

Debbie Capanear, being first duly sworn deposes and says: that she is the Legal Advertising Representative of **TNI PARTNERS, commonly known as TUCSON NEWSPAPERS**, a General Partnership organized and existing under the laws of the State of Arizona, which it prints and publishes the Arizona Daily Star newspaper printed and published in the City of Tucson, Pima County, State of Arizona, and having a large circulation in said City, County, State and Nation, and that the attached

Legal Notice

was printed and published correctly in the edition of the said Arizona Daily Star on each of the following dates, to-wit:

NOVEMBER 13, 2010

Debbie Capanear

Subscribed and sworn to before me this 15 day of November, 2010

Silvia H. Valdez
Notary Public



My commission expires _____

TNI AD NO. 7326327

NOTICE OF THE HEARING ON THE APPLICATION OF MICHAEL W. SCHULTZ AND PAMELA J. SHULTZ DBA RINCON CREEK WATER COMPANY FOR APPROVAL OF SALE OF ASSETS AND TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY.
(Docket No. W-03783A-10-0172)

Michael W. Schultz and Pamela J. Schultz d/b/a Rincon Creek Water Company ("Applicant"), filed with the Arizona Corporation Commission an application for approval to sell its water system assets and Certificate of Convenience and Necessity to William Shirley and Shirley. The Commission's Utilities Division ("Staff") has recommended the Applicant's application. The Commission is not bound by the recommendation of the Applicant, Staff, or any interveners. The Commission will make a decision regarding the Applicant's application following consideration of the evidence presented at an evidentiary hearing.

View or Obtain a Copy of the Application

Application materials are available at the Applicant's offices at 1102 North 1st Avenue, Tucson, Arizona 85705, and the Commission's offices at 1200 West Washington, Phoenix, Arizona, and the Commission's Tucson Offices at 400 West Washington, Tucson, Arizona. The Commission's Tucson Offices are open for public inspection during regular business hours and on the internet through the Commission Website (www.azcc.gov) using the e-docket function.

Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning **December 10, 2010 at 10 a.m.**, at the Commission's offices, 400 West Congress, Room 222, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Comments may be submitted via email (visit http://www.azcc.gov/utilities/forms/public_comment.pdf for instructions), or by mailing a letter to the Commission, Docket Number W-03783A-10-0172 to: Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix, AZ 85003. If you require assistance, you may contact the Consumer Services Section at (602) 628-6550 or (520) 628-6550.

Intervention

The Commission provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to be heard and having a direct and substantial interest in the matter will be permitted to intervene. **If you would like to intervene, you must file a written motion with the Commission no later than November 19, 2010.** You must send your motion to the Applicant or its counsel, and to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number, and the name, address, and telephone number of any party upon whom documents are to be served in your intervention.

2. A statement of your interest in the proceeding (e.g., a customer of the Applicant or its counsel, or a shareholder of the Applicant, etc.); and

3. A statement certifying that a copy of your motion to intervene has been served on the Applicant or its counsel and to all parties of record in the case.

Motions to Intervene Motions to intervene shall be governed by A.A.C. R14-3-105. **Motions to intervene must be filed on or before November 19, 2010.** Intervention by counsel is required by Rule 31 of the Rules of the Arizona Corporation Commission. Intervention will be conditioned upon the intervener obtaining consent from the Applicant. For information about requesting intervention, visit the Arizona Corporation Commission's webpage at <http://www.azcc.gov/utilities/forms.asp>. The granting of intervention, among other things, is not a guarantee of success. **Failure to intervene will not preclude any customer from presenting evidence at hearing and making a statement on such customer's own behalf.**

Accessibility Information

The Commission does not discriminate on the basis of disability in admission to its programs. Persons with disability may request a reasonable accommodation, such as a sign language interpreter, as well as request this document in an alternative format by contacting the ADA Coordinator Shaylin Bernal, E-mail SBernal@azcc.gov or phone number (602) 542-2021. Requests should be made as early as possible.